

Exhibit 13

Declaration of Chelsia Rice
(Jul. 16, 2023)

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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA
BUTTE DIVISION**

THE IMPERIAL SOVEREIGN COURT
OF THE STATE OF MONTANA; ADRIA
JAWORT; RACHEL CORCORAN; THE
MONTANA BOOK COMPANY; IMAGINE
BREWING COMPANY, LLC d/b/a
IMAGINE NATION BREWING
COMPANY; BUMBLEBEE AERIAL
FITNESS; MONTANA PRIDE; THE
WESTERN MONTANA COMMUNITY
CENTER; THE GREAT FALLS LGBTQ+
CENTER; THE ROXY THEATER; and
THE MYRNA LOY,

Plaintiffs,

vs.

AUSTIN KNUDSEN; ELSIE ARNTZEN;
J.P. GALLAGHER; and the CITY OF
HELENA,

Defendants.

Cause No. CV 23-50-BU-
BMM

Declaration of Chelsia Rice

I, Chelsia Rice, declare as follows:

1. I am over the age of eighteen years, am competent to testify as to the matters set forth herein, and I make this declaration based upon my personal knowledge and belief.
2. I am a resident of Helena, Montana.
3. I am the co-owner of the Montana Book Company, a bookstore located in the heart of downtown Helena. Montana Book Company has operated in Helena for over 45 years. My partner Charlie Crawford and I have owned it for five years.
4. Montana Book Company carries a variety of genres of new books for both adults and youth with a focus on minority voices and issues.
5. Montana Book Company also serves as an inclusive community-building place. We offer author readings, workshops, social gatherings, and regularly occurring book clubs for all ages and interests.
6. House Bill 359 (“HB 359”) appears to prohibit any private entity that receives state funding from holding a “sexually oriented performance.”

7. Montana Book Company has received state funding in the form of COVID relief, and I anticipate it may receive state funding in the future through business development grants, tax rebates, and arts and humanities grants.
8. The Montana Book Company offers books and hosts book readings that include depictions of sexual content as defined by HB 359.
9. For example, on Wednesday, June 21, 2023, Montana Book Company hosted “An Evening with Debra Magpie Earling,” in which the Montana-Native American novelist spoke about her books *Perma Red* and *The Lost Journals of Sacajawea*.
10. During the event, Ms. Magpie Earling read a chapter from her book that included descriptions of genitalia within the context of the time and culture of Sacajawea’s life. Under HB 359, the reading of this section could be considered a “sexually oriented performance.”
11. Similarly, on April 29, 2023, Montana Book Company hosted an event with Montana author Maxim Loskutoff, during which Mr. Loskutoff read from his award-winning book *Ruthie Fear* and discussed another of his stories that included a depiction of

bestiality. Under HB 359, Mr. Loskutoff's discussion could have been considered a "sexually oriented performance."

12. In order to engage the community and provide a safe space for fellow LGBTQ+ Montanans, Montana Book Company has also hosted drag story hour events during Montana Pride, at which drag performers read children's books to families. Under HB 359, the use of prosthetic cleavage at these events could be considered a "sexually oriented performance."
13. Despite threats of violence and protests, last year's event was incredibly popular with community members of all ages, drawing a crowd of over a hundred and fostering an inclusive and welcoming environment for all attendees.
14. I fear that Montana Book Company, its employees, and I could face criminal and civil penalties for offering books, author readings, and other events like those described above.
15. I have no way of knowing whether the State of Montana will enforce HB 359 to criminally charge or penalize me, Montana Book Company, or our employees.

I declare under penalty of perjury that the foregoing is true and correct.

Declaration of Chelsia Rice

DATED this 17th day of July, 2023, in Cutbank, Montana.

DocuSigned by:

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Chelsia Rice